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Right of peoples to self-determination

Argentina, Brazil, Chile, Cuba, Dominican Republic, El Salvador, Guatemala, Mexico, Paraguay, Peru, Timor-Leste and Uruguay: draft resolution

The incompatibility between democracy and racism

The General Assembly,

Guided by the Universal Declaration of Human Rights,[1] the Charter of the United Nations, the International Covenants on Human Rights[2] and the International Convention on the Elimination of All Forms of Racial Discrimination,[3]

Recalling the commitment reached in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[4] concerning the elimination of racism, racial discrimination, xenophobia and related intolerance,

Recalling also the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,[5]

Taking note of the Commission on Human Rights resolutions 2000/40 of 20 April 2000,[6] 2001/43 of 23 April 2001,[7] 2002/39 of 23 April 2002[8] and 2003/41 of 23 April 2003,[9]

Mindful of the responsibility of Governments to ensure such equality as is established in the relevant international and regional human rights instruments, inter

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Resolution 2106 A (XX), annex.
[4] A/CONF.157/24 (Part I), chap. III.
[5] See A/CONF.189/12 and Corr.1, chap. I.
[6] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.
[7] Ibid., *2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.
[8] Ibid., *2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.
[9] E/2003/23 (Part I), chap. II, sect. A.

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alia, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming that acts of racial violence and discrimination do not constitute legitimate expressions of opinion, but rather are offences,

Alarmed by the rise of racism, racial discrimination, xenophobia and related intolerance in political circles, in the sphere of public opinion and in society at large,

Recognizing the fundamental role of education and other active policies in the promotion of tolerance and respect for others and in the construction of pluralistic and inclusive societies,

1. *Condemns* political platforms and organizations based on racism, xenophobia or doctrines of racial superiority and related discrimination as incompatible with democracy and transparent and accountable governance;

2. *Also condemns* legislation and practices based on racism, racial discrimination, xenophobia and related intolerance as incompatible with democracy and transparent and accountable governance;

3. *Affirms* that racism, racial discrimination, xenophobia and related intolerance condoned by governmental policies violate human rights and may endanger friendly relations among peoples, cooperation among nations, international peace and security and the harmony of persons living side by side within one and the same State;

4. *Affirms also* that any form of impunity condoned by public authorities for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such acts;

5. *Condemns* the persistence and resurgence of neo-Nazism, neo-fascism and violent nationalist ideologies based on racial or national prejudice, and states that these phenomena can never be justified in any instance or in any circumstances;

6. *Urges* States to reinforce their commitment to promote tolerance and human rights and to fight against racism, racial discrimination, xenophobia and related intolerance as a way to strengthen democracy, the rule of law and transparent and accountable governance, and in that regard recommends measures such as introducing or reinforcing human rights education in schools and in institutions of higher education;

7. *Underlines* the key role that political leaders and political parties can and ought to play in strengthening democracy by combating racism, racial discrimination, xenophobia and related intolerance, and encourages political parties to take concrete steps to promote solidarity, tolerance and respect, inter alia, by developing voluntary codes of conduct that include internal disciplinary measures for violations thereof so that their members must refrain from public statements and actions that encourage or incite racism, racial discrimination and related intolerance;

8. *Invites* the Inter-Parliamentary Union to encourage debate in, and action by, parliaments on various measures, including laws and policies, to combat racism, racial discrimination, xenophobia and related intolerance;

9. *Invites* the mechanisms of the Commission on Human Rights and the treaty bodies to continue to pay particular attention to violations of human rights stemming from the rise of racism and xenophobia in political circles and society at large, especially as regards their incompatibility with democracy;

10. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the incompatibility between democracy and racism;[10]

11. *Also takes note* of the outcome of the expert seminar held by the Office of the United Nations High Commissioner for Human Rights in Geneva in November 2002 on the interdependence between democracy and human rights;[11]

12. *Invites* the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to update and expand the study on the issue of political platforms which promote or incite racial discrimination[12] and to submit it to the General Assembly at its fifty-ninth session;

13. *Decides* to continue consideration of the matter at its fifty-ninth session under the same agenda item.

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[10] E/CN.4/2003/62 and Add.1.

[11] See E/CN.4/2003/59.

[12] A/CONF.189/PC.2/21 and Corr.1 and 2.